

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DARRELL LAMONT SMITH, JR.,)	No. C 11-1193 LHK (PR)
)	
Petitioner,)	ORDER OF TRANSFER
)	
vs.)	
)	
WALKER,)	
)	
Respondent.)	
)	

Petitioner, proceeding *pro se*, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on March 10, 2011. Petitioner seeks habeas relief from his underlying criminal conviction and sentence from the Superior Court of San Bernardino, which lies in the Central District of California.


Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction or sentence are preferably heard in the district of conviction. *See* Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Here, the Central District of California is the district of conviction.

Accordingly, this case is TRANSFERRED to the United States District Court for the Central District of California, the district of Petitioner's conviction at issue in this petition. *See* 28 U.S.C. § 1404(a); Habeas L.R. 2254-3(b)(1). The Clerk shall terminate any pending motions

1 and transfer the entire file to the Central District of California.

2 IT IS SO ORDERED.

3 DATED: __3/31/11__


LUCY H. KOH
United States District Judge